

COMMISSION MEETING MINUTES
August 29, 2006

The Board of Davis County Commissioners met in the Commission Chambers of the Davis County Courthouse, Farmington, Utah on August 29, 2006 for a telecommunication commission meeting. Members present were Chairman Carol R. Page, Commissioner Alan Hansen, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil County Attorney Gerald E. Hess, and Commission Office Manager Linda May. Commissioner Dannie R. McConkie joined by telecommunication.

Item Delayed

The agenda item relating to the revision of the contract for the Utah Department of Transportation – Legacy Highway right of ways will be delayed until next week’s commission meeting.

Agreement #2006-257 J-U-B Engineers, Inc. for Traffic Study

Tom Smith, Davis County Public Works Director, presented agreement #2006-257 with J-U-B Engineers, Inc. The company will prepared a speed and traffic study for the 3600/3800 South area. It is a payable in the amount of \$17,667.00. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2006-258 Johnson’s Carpet of Installation Work at Autumn Glow Senior Center

Jeff Hewitt, Davis County Facilities Management, presented agreement #2006-258 with Johnson’s Carpet. The company will do the installation of quarry tile and carpet in various rooms of the Autumn Glow Senior Center. The work will be completed September 2 – September 6, 2006. It is a payable in the amount of \$21,476.73. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2006-259 Swank Motion Pictures Inc for Video Licensing

Agreement #2006-259 with Swank Motion Pictures, Inc. was presented to renew the video licensing to show DVD’s or videos at the Davis County jail for inmates. It is a payable in the amount of \$1,387.00. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendments #2006-221A #2006-222A for Grant Acceptance for Voter Outreach Programs

The following two amendments with the Lt. Governor’s Office regarding voter outreach grant applications were presented for grant acceptance:

#2006-221A was approved in the amount of \$4,800 rather than the \$5,000 applied for as a grant.

#2006-222A was approved in the amount of \$3,000 rather than the \$4,800 applied for as a grant.

Commissioner Hansen made a motion to approve the acceptance of the grants. Commissioner McConkie seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Agreement #2006-260 Bureau of Criminal Identification for Justice Court Usage

Agreement #2006-260 with the Bureau of Criminal Identification for Justice Court was presented. It is a renewal of the user contract for the state computer system access. There is no fee involved. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Resolution #2006-261 Nominating Commission for Consideration of Constables

Resolution #2006-261 to establish and appoint a nominating commission for the purpose of assisting the Davis County Commission in the appointment of a county constable was presented. Pursuant to the provisions of U.C.A. 17-25a-1 et.seq., it is a request for approval to appoint the following individuals as members of the Constable Nominating Commission:

- Alan Hansen, Davis County Commissioner
- Mel Wilson, Davis County Attorney
- Bud Cox, Davis County sheriff
- Darwin Hansen, District Court Judge
- Paul Barker, Davis County Citizen

The nominating Commission shall advertise, review and interview all qualified applicants for the position of Davis County Constable and recommend to the Davis County Commission the name or names of those applicants that the Nominating Commission by majority voted finds the most qualified. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Budget Change for Children’s Justice Center Revenue Receivable

Doug Miller, Davis County Children’s Justice Center Director, presented a budget change for revenue received from the Val A. Green and Edith D. Green Foundation, Inc. and the B. Attitudes Foundation for a total of \$13,091.00. The funds will be used to upgrade medical equipment, interview recording equipment and office equipment. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion all voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Hansen made a motion to convene as the Board of Equalization. Commissioner McConkie seconded the motion. All voted aye.

Property Tax Register Approved

Commissioner Hansen made a motion to approve the Property Tax Register as presented. Commissioner McConkie seconded the motion. All voted aye.

Commissioner Hansen made a motion to reconvene the regularly scheduled commission meeting. Commissioner McConkie seconded the motion. All voted aye.

Commission Minutes Approved

Commissioner Hansen made a motion to approve the commission meeting minutes of August 22. Commissioner McConkie seconded the motion. All voted aye.

Personnel Register Approved

A personnel register was presented. Commissioner McConkie made a motion to approve. Commissioner McConkie seconded the motion. All voted aye.

Check Registers Approved

Check registers as prepared by the Davis County Clerk/Auditor’s Office were presented. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

New North Salt Lake Mayor Announced

A welcome to the newly appointed North Salt Lake Mayor Shanna Schaefermeyer was extended. The nomination process was completed last night and announced.

Commissioner Hansen made a motion to convene as the Board of Equalization. Commissioner McConkie seconded the motion. All voted aye.

Board of Equalization Hearing for Horton V. Bourne Partnership

The following individuals came to the hearing:
Carol Rees, Davis County Assessor, and Beverly Wiser, Davis County Assessor Office
Milo Marsden, Attorney of Counsel, for the Horton V. Bourne Partnership

A review of the record on the property raised a question of the assessment and taxation of parcel #08-060-0004 under the Farmland Assessment Act, or “Greenbelt. A rollback tax was calculated and is a lien against the land in the amount of \$16,722.95.

The Davis County Assessor’s office through the process of discovery (pictures provided) had made the determination that the land in question did not appear to be being grazed and the fence is in disrepair. As requirements for greenbelt did not appear to be met, the Assessor’s Office also had communication with Walt Blake, State Greenbelt Specialist, before changing the assessment on the property. However, there are factors that impact the parcel due to its location next to the railroad and UDOT’s interest in the area because of light rail.

Mr. Marsden’s request is to have the parcel remain in greenbelt for one more year. He indicated there had been agricultural activity on the land and the property should not be withdrawn from the Farmland

Assessment Act. Also wetlands delineation which is determined by the Army Corp of Engineers, a study to be done by Farmington per Dave Peterson and Max Forbush of Farmington City Offices, and a pending sale recently heard in the court of Judge Kay ruling in favor of the owner are all factors relating to this parcel. It is not probable that the area could be developed for residential. If nothing happens with the pending issues the land will be fenced and grazed as required for greenbelt consideration.

The recommendation from the Assessor's Office is for the parcel to be granted a waiver for 2006. Mr. Hess, Davis County Attorney Office, indicated the wavier statute would not apply unless there is proof that the failure to meet the agricultural production requirements for the tax year was due to no fault or act of the owner, purchaser, or lessee. Upon further review by the commission it was found that there was not enough evidence to show that the land was not actively devoted to agricultural use so that the property should receive greenbelt tax treatment for 2006.

Commissioner Hansen made a motion to grant property owner's appeal thereby allowing the property to receive greenbelt tax treatment for 2006. Commissioner McConkie seconded the motion. All voted aye.

Commissioner Hansen made a motion to reconvene the regularly scheduled commission meeting. Commissioner McConkie seconded the motion. All voted aye.

Meeting adjourned.